

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|                               |   |                              |
|-------------------------------|---|------------------------------|
| -----                         | X |                              |
| In re VEECO INSTRUMENTS, INC. | : | Case No.: 7:05-md-01695 (CM) |
| SECURITIES LITIGATION         | : |                              |
| -----                         | X |                              |
| -----                         | X |                              |
| THIS DOCUMENT RELATES TO      | : |                              |
| ALL ACTIONS                   | : |                              |
| -----                         | X |                              |

**MEMORANDUM OF LAW IN SUPPORT OF  
LEAD PLAINTIFF'S FIRST MOTION IN LIMINE**

**FILED UNDER SEAL PURSUANT TO CONFIDENTIALITY  
ORDER DATED MAY 16, 2006**

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